United Nations A/ES-10/594–S/2013/322

General Assembly
Security Council

Distr.: General
31 May 2013

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-eighth year

Identical letters dated 30 May 2013 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

As we rapidly, yet inconceivably, approach the forty-sixth year since Israel's military occupation of the Palestinian and Arab lands in June 1967, we are reminded over and over again about the roots of this tragic conflict and the reasons for its perpetuation: the constant dispossession, displacement, subjugation and denial of the rights of the Palestinian people by Israel, the occupying Power, and its relentless attempts to forcibly seize more territory by all illegal means and measures.

Time and time again, driven by avarice for control of the land, Israel has chosen its illegal settlement colonization schemes in the Occupied Palestinian Territory, including East Jerusalem, over the goal of peace and security. Time and time again, Israel has deliberately and gravely breached international law, including humanitarian and human rights law, flagrantly violated United Nations resolutions and arrogantly ignored the will and demands of the international community. Thus, this grave injustice against the Palestinian people persists, despite the efforts exerted over the years by the international community for a just and lasting peace settlement in accordance with the two-State solution on the basis of the pre-1967 borders.

Regrettably, at a time when serious efforts are being made by the United States of America, the States of the League of Arab States and other concerned States to revive the path of peace and facilitate a return by the parties to direct negotiations, based on the long-standing parameters enshrined in United Nations resolutions, the Madrid principles, the Arab Peace Initiative and the road map of the Quartet, Israel's actions are undermining those efforts and threaten to sabotage the small opportunity that remains for achieving the two-State solution. We are at a moment of truth and the international community must reiterate unequivocally to Israel, the occupying Power, that it cannot persist with this illegal settlement campaign while claiming to be committed to the pursuit of peace and the two-State solution; the two positions are irreconcilable. And, by "speaking" of peace while actively engaging in its

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destruction, Israel makes a mockery of the international community and all efforts in this regard.

Here it must be clearly stated: regardless of when certain decisions were taken or when certain acts were perpetrated by successive Israeli Governments — whether in December 2012 or May 2013, whether 20 or 40 years ago — settlement activities in the Palestinian territory occupied since 1967, including East Jerusalem, are illegal and constitute the major obstacle to peace. The Fourth Geneva Convention, in its article 49 (6), is clear about this, as are the Additional Protocol to the Geneva Conventions (article 85 (4)) and the Rome Statute of the International Criminal Court (article 8 (2) (b) (viii)). Indeed, the confiscation and colonization of the land of another people and the forced displacement and transfer of people from that land constitute war crimes under international law and cannot be justified or excused under any pretext.

The international community must no longer tolerate this situation. An unequivocal message needs to be sent urgently to Israel, the occupying Power: it must stop its illegal settlement activities, in all their manifestations, and genuinely commit to the path of peace. The alternative is the demise of the two-State solution, with all of the consequences this entails, and the onset of a new era of searching for the achievement of the inalienable human and national rights of the Palestinian people, which they and their leadership will never forgo.

Thus, the Palestinian leadership condemns the recent decision by Israel to proceed with plans for the construction of more than 1,000 new settlement units in illegal settlements in and around Occupied East Jerusalem. We reject the excuse that these plans were announced late last year and that their implementation now is just a technicality. Such excuses are offensive to all those who have believed in the two-State solution for all these years and have continued to strive for its attainment, including the current efforts of United States Secretary of State John Kerry. These actions are illegal and must be halted. With every dunum of land confiscated, every settlement unit constructed, every home demolished and every settler crime perpetrated, the contiguity and viability of the State of Palestine, which seeks to live side by side in peace and security with Israel on the basis of the pre-1967 borders, are being undermined and the prospects for peace are being destroyed.

We call once again on the international community, including the Security Council, to uphold its responsibilities under international law and relevant resolutions and to act forthwith to demand that Israel, the occupying Power, cease these illegal policies and practices and compel it to comply with its legal obligations and commitments. The international community must not allow this travesty to continue and must hold Israel accountable for its violations and crimes. Otherwise, the opportunity before us to make peace and security a reality between Palestine and Israel and in the region will be lost. The Palestinian people continue to look to the international community to take the necessary tangible steps to uphold the promises and principles they have long espoused but not fulfilled to help the Palestinian people to finally realize their rights and long overdue freedom, justice and peace.

This letter is in follow-up to our previous 465 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 16 May 2013 (A/ES-10/593-S/2013/289), constitute a basic record of the crimes committed by Israel, the occupying Power, against the

Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations